

DRAFT
PROPOSED RHODE ISLAND RULES OF PROFESSIONAL CONDUCT

TABLE OF CONTENTS

Preamble and Scope	1
<i>Rules</i>	
1.0 Terminology	9
<i>Client-Lawyer Relationship</i>	
1.1 Competence	17
1.2 Scope of Representation and Allocation of Authority	20
1.3 Diligence	25
1.4 Communication	28
1.5 Fees	34
1.6 Confidentiality of Information	42
1.7 Conflict of Interest: Current Clients	50
1.8 Conflict of Interest: Current Clients: Specific Rules	66
1.9 Duties to Former Clients	79
1.10 Imputation of Conflicts of Interest: General Rule	85
1.11 Special Conflicts of Interest for Former and Current Government Officers and Employees	90
1.12 Former Judge, Arbitrator, Mediator or Other Third-Party Neutral	96
1.13 Organization as Client	99
1.14 Client With Diminished Capacity	108
1.15 Safekeeping Property	114
1.16 Declining or Terminating Representation	119
1.17 Sale of Practice	124
1.18 Duties to Prospective Client	130
1.19 Required Bookkeeping Records	134

Counselor

2.1 Advisor	137
2.2 Intermediary (Deleted)	140
2.3 Evaluation for Use by Third Persons	141
2.4 Lawyer Serving as Third-Party Neutral	145

Advocate

3.1 Meritorious Claims and Contentions	148
3.2 Expediting Litigation	150
3.3 Candor Toward the Tribunal	151
3.4 Fairness to Opposing Party and Counsel	159
3.5 Impartiality and Decorum of the Tribunal	162
3.6 Trial Publicity	164
3.7 Lawyer as Witness	169
3.8 Special Responsibilities of a Prosecutor	176
3.9 Advocate in Nonadjudicative Proceedings	181

Transactions With Persons Other Than Clients

4.1 Truthfulness in Statements to Others	183
4.2 Communication with Person Represented By Counsel	185
4.3 Dealing with Unrepresented Person	189
4.4 Respect for Rights of Third Persons	191

Law Firms and Associations

5.1 Responsibilities of a Partner or Supervisory Lawyer	193
5.2 Responsibilities of a Subordinate Lawyer	197
5.3 Responsibilities Regarding Nonlawyer Assistants	199
Provisional Order 18 – Use of Legal Assistants - Guidelines	201
5.4 Professional Independence of a Lawyer	205
5.5 Unauthorized Practice of Law; Multijurisdiction Practice of Law	207
5.6 Restrictions on Right to Practice	215
5.7 Responsibilities Regarding Law-Related Services	216

Public Service

6.1	Voluntary Pro Bono Publico Service	221
6.2	Accepting Appointments	226
6.3	Membership in Legal Services Organization	228
6.4	Law Reform Activities Affecting Client Interest	230
6.5	Nonprofit and Court-Annexed Limited Legal Services Programs	231

Information About Legal Services

7.1	Communications Concerning A Lawyer's Services	234
7.2	Advertising	236
7.3	Direct Contact With Prospective Clients	243
7.4	Communication of Fields of Practice and Specialization	250
7.5	Firm Names and Letterheads	253
7.6	Political Contributions to Obtain Legal Engagements or Appointments (Not Proposed for Adoption)	255

Maintaining the Integrity of the Profession

8.1	Bar Admission and Disciplinary Matters	258
8.2	Judicial and Legal Officials	260
8.3	Reporting Professional Misconduct	261
8.4	Misconduct	266
8.5	Disciplinary Authority; Choice of Law	269

Ethics Advisory Panel

9.1	Establishment and Authority of Panel	273
9.2	General Information	273